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PATENT
Attorney Docket No.: 15270J-004765US
Client Reference No.: 209-US-CIP8BC5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DALE B. SCHENK et al.

Application No.: 09/724,288

Filed: November 28, 2000

For: PREVENTION AND TREATMENT OF AMYLOIDOGENIC DISEASE

Examiner: Sharon L. Turner

Art Unit: 1647

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97 and §1.98

09/12/2003 KBETEHA1 00000012 201430 09724288
01 FC:1806 180.00 DA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/580,018, filed May 26, 2000 (Attorney Docket No. 15270J-004760US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

"'Grant Application; Raso, Immunology of Alzheimer's Disease', 1/1998,'" cited by the Examiner in Application No. 09/579,690, is submitted herewith as cite no. 304. Application No. 09/579,690 is a commonly owned copending application directed to subject

matter related to the instant application. Applicant believes "1/1998" is not the publication date as alleged by the Examiner, but refers to the grant funding cycle. Applicants' further believe the date of public accessibility, if any, is unknown. Applicant wishes to bring to the Examiner's attention that a copy of a grant application believed to have been submitted by Victor Raso for NIH Grant 1 R43 AGI 5746-01 on August 29, 1997 was previously submitted in the initial IDS submitted September 10, 2001 as cite no. 144. Cite no. 144 is a redacted version of cite no. 304. Applicant obtained cite no. 144 under the Freedom of Information Act (FOIA). It is believed that the grant proposal would not have been accessible under FOIA before April 2, 1998, but the exact date of public accessibility, if any, is not known to Applicant.

The Assignee of the instant application is a licensee of U.S. Patent No. 5,688,651, which is directed in part to subject matter related to the instant application. U.S. Patent No. 5,688,651 is now undergoing examination reissue as Application No. 09/441,140. U.S. Application No. 09/441,140 is submitted herewith as cite number 283. U.S. Patent No. 5,688,651 was previously submitted in the IDS submitted September 10, 2001 as cite no. 16.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98;

09/497,553 filed 02/03/00;

09/724,477 filed 11/28/00;

09/723,927 filed 11/28/00;

09/724,762 filed 11/28/00;

09/724,102 filed 11/28/00;

09/724,489 filed 11/28/00;

09/322,289 filed 05/28/99;

09/723,713 filed 11/27/00;

09/723,760 filed 11/27/00;

09/724,319 filed 11/27/00;

09/723,384 filed 11/27/00;

09/724,495 filed 11/27/00;

09/580,015 filed 05/26/00;

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09/724,961 filed 11/28/00;

09/580,018 filed 05/26/00;

09/724,552 filed 11/28/00;

09/723,544 filed 11/28/00;

09/724,273 filed 11/28/00;

09/724,551 filed 11/28/00;

09/724,288 filed 11/28/00;

09/580,019 filed 05/26/00;

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09/204,838 filed 12/03/98;

09/724,921 filed 11/28/00;

09/724,929 filed 11/28/00;

09/585,817 filed 06/01/00;

09/724,567 filed 11/28/00;

09/724,575 filed 11/28/00;

09/724,953 filed 11/28/00;

09/724,570 filed 11/28/00;

09/585,656 filed 06/01/00;

09/723,766 filed 11/27/00;

09/723,725 filed 11/27/00;

09/579,690 filed 05/26/00;

09/979,701 filed 03/13/01;

09/979,952 filed 04/04/02;

09/980,568 filed 03/12/02; and,

10/429,216 filed 05/02/03.

Applicant also cites the following copending applications directed to related subject matter but subject to different assignment:

10/010,942 filed 12/06/01;

10/232,030 filed 08/30/02;

60/444,150 filed 02/01/03; and,

10/388,214 filed 03/12/03.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;

60/080,970 filed 04/07/98;

60/067,219 filed 12/03/97;

60/079,697 filed 03/27/98;

60/137,010 filed 06/01/99;

60/137,047 filed 06/01/99; and,

60/136,655 filed 05/28/99.

Applicant also cites the following abandoned applications directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00; and,

60/363,751 filed 03/12/02.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/02/97;

60/079,697 filed 03/27/98;

09/204,838 filed 12/03/98;

09/724,921 filed 11/28/00; and,

09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of $180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Rosemarie L. Celli
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 13

Complete if Known	
Application Number	09/724,288
Filing Date	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
Attorney Docket Number	15270J-004765US

U.S. PATENT DOCUMENTS

Examiner	Cite No.[1]	Document Number Number Kind Code[2] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	360	2003/0073655 A1	04-17-2003	Chain	
	370	2003/0068325 A1	04-10-2003	Wang	
	378	2002/0197258 A1	12-26-2003	Ghanbari et al.	
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	340	2002/0162129 A1	10-31-2002	Lannfelt	
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	373	5,721,130	02-24-1998	Seubert et al.	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 13

Complete if Known	
Application Number	09/724,288
Filing Date	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
Attorney Docket Number	15270J-004765US

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	402	4,713,366	12-15-1987	Stevens	

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Examiner	Cite No.[1]	Document Number: Number Kind Code[2] (*if known*)	Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	296	60/254,465	12-08-2000	Holtzman et al.	
	297	60/254,498	12-08-2000	Holtzman et al.	
	305	09/724,842	11-28-2000	Chalifour et al.	
	295	60/184,601	02-24-2000	Holtzman et al.	
	282	60/169,687	12-08-1999	Chain	
	242	60/168,594	11-29-1999	Chalifour et al.	
	283	09/441,140	11-16-1999	Solomon et al.	
	299	60/186,295	03-01-2000	Rasmussen et al.	

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Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3]	Number[4]	Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	343	EP	1 172 378	A1	01-16-2002			
	351	WO	02/34878	A2	05-02-2002			
	352	WO	02/34777	A1	05-02-2002			
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	344	WO	01/90182	A2	11-29-2001			
	348	WO	01/77167	A2	10-18-2001			
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	243	WO	01/39796	A2	06-07-2001			
	322	WO	00/72880	A2, A3	12-07-2000			
	323	WO	00/72876	A2, A3	12-07-2000			

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 13

Complete if Known	
Application Number	09/724,288
Filing Date	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
Attorney Docket Number	15270J-004765US

	324	WO	00/72870	A1	12-07-2000			
	240	WO	00/43039	A1	07-27-2000			
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	227	WO	95/11008	A2	04-27-1995			

Examiner Signature		Date Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 13

Complete if Known	
Application Number	09/724,288
Filing Date	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
Attorney Docket Number	15270J-004765US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	391	AGUZZI et al., "Prion research: the next frontiers," Nature, 389:795-798 (1997).	
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Examiner Signature		Date Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 13

Complete if Known	
Application Number	09/724,288
Filing Dat	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
Attorney Docket Number	15270J-004765US

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	288	DUMERY et al., "β-Amyloid protein aggregation: its implication in the physiopathology of Alzheimer's disease," Pathol. Biol., 49:72-85 (2001).	

Examiner Signature		Date Considered	

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[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 6 of 13

Complete if Known	
Applicati n Numb r	09/724,288
Filing Dat	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
Attorney Docket Number	15270J-004765US

	225	Elan, "Elan and AHP Provide an Update on the Phase 2A Clinical Trial of AN-1792," Press Release. (1/18/2002).	
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	364	FURLAN et al., "Vaccination with amyloid-β peptide induces autoimmune encephalomyelitis in C57/BL6 mice," Brain, 126:285-291 (2003).	
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Examiner Signature		Date Considered	

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Filing Date	November 28, 2000
First Named Inventor	Dale B. Schenk
Art Unit	1647
Examiner Name	Sharon L. Turner
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First Named Inventor	Dale B. Schenk
Art Unit	1647
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Attorney Docket Number	15270J-004765US

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